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ABSTRACT

Designed to introduce researchers to sources of federal information on the historic preservation of significant buildings and sites, the purpose of this guide is threefold: (1) to show the variety of governmentally produced documents and publications that relate to historic preservation (citing as examples documents from 1984 to 1986); (2) to describe guides and sources for such federal information; and (3) to indicate the broader context of historic preservation of which these government documents are a part by including information about government agencies, funding, and publications relating to historic preservation. Divided into eight major sections, this guide includes a brief history of the U.S. Preservation Movement and information on government documents; national agencies and committees involved in historic preservation and their publications; congressional actions; state and local historic preservation; historic preservation funding and incentives; publications about historic preservation; and public interest in historic preservation. A glossary and a 43-item bibliography are also provided, and a legislative history of the National Historic Preservation Act of 1966 is appended. (CGD)

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A GUIDE TO U.S. HISTORIC PRESERVATION THROUGH FEDERAL GOVERNMENT DOCUMENTS AND RELATED INFORMATION

By

Jill R. J. Holden

December 1987

IR052239

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APPENDIX LEGISLATIVE HISTORY OF THE NATIONAL HISTORIC PRESERVATION ACT OF 1966

LIST OF ACRONYMS USEFUL IN RESEARCHING HISTORIC PRESERVATION

ACHP - Advisory Council on Historic Preservation
ASI - American Statistics Institute
AV - Audiovisual
CFR - Code of Federal Regulations
CIS - Congressional Information Service
CQ - Congressional Quarterly
CR - Congressional Record
CRS - Congressional Record Service
CSI - Capital Services, Inc.
ERIC - Educational Resources Information Center
FY - Fiscal Year
GAO - General Accounting Office
GPO - United States Government Printing Office
GSA - General Services Administration
IRS - Internal Revenue Service
LC - Library of Congress, usually Library of Congress catalog number
NPS - National Park Service
OCLC - Online Computer Library Center
PAIS - Public Affairs Information Service Bulletin
PL - Public Law
PRF - Publications Reference File
SHPO - State Historic Preservation Office
USC - United States Code
USGPO - United States Government Printing Office

ABBREVIATIONS AND OTHER SYMBOLS USEFUL IN RESEARCHING HISTORIC PRESERVATION

* = a non-government document, resource, publication, etc.
App. = Appendix
Com. = Committee
Exec. - Executive
HCR or H.Con.Res. - House Concurrent Resolution
H.doc - House Document
HJR or H.J.Res. - House Joint Resolution
H.R. - House of Representatives Bill
H.Res. - House Resolution
[irreg] = published/produced irregularly
n.p. - no page number
S. - Senate Bill
S.C.Res. - Senate Concurrent Resolution
S.doc. - Senate Document
S.hrg. - Senate Hearing
S.J.Res. or SJR - Senate Joint Resolution
S.prt - Senate Print
S.rpt - Senate Report
Stat. - United States Statutes at Large
SuDoc - Superintendent of Documents

GLOSSARY

ACT - A piece of legislation that has been approved by either the Senate or House. An Act becomes a Public Law after it has been passed by both Houses of Congress and has been signed by the President. Some states refer to Public Laws as "Acts."

ADVISORY COUNCIL - Advisory Council for Historic Preservation

BILL - When a piece of legislation is introduced into the U.S. Congress and state legislatures it is usually called a bill.

CERTIFIED REHABILITATION - Conforms to the Secretary of the Interior's Standards and is approved by the U.S. Department of the Interior.

CLEARINGHOUSE - An organization or agency which distributes, upon request, copies of reports to interested individuals and groups and disseminates information on a continuous basis.

COMMITTEE PRINTS - Publications written for the committees of Congress providing background information for a piece of legislation or on a topic.

CONSERVATION - The maintenance and/or restoration of objects, structures, sites, or information. Usually there is historic or cultural significance attached to the items involved.

CULTURAL RESOURCE - A building, structure, district, site, object or document that is of significance in American history, architecture, archeology or culture.

DOCUMENTS - Publications sponsored, authored, or published by a government, includes a variety of materials. Government documents include: committee activities, reports, communications to Congress from the Executive Branch, annual reports to Congress and miscellaneous.

EASEMENT - A right acquired by one party in the real property of its present and future owners. A facade easement assures that a building front will be kept unaltered, regardless of the use or ownership of the building at any future time. A scenic or open-space easement protects areas of landscape in a similar fashion. a legal document which regulates the use of or changes to real property, and may be given or sold by property owner to a charitable organization or government body. Once recorded, an easement becomes part of the property's chain of title and usually 'runs with the land' in perpetuity, this binding not only the present owner who conveys it but all future owners as well.

GOVERNMENT PUBLICATIONS - "Information matter...published as an individual document at Government expense or as required by law."1

GOVERNMENT PRINTING OFFICE - See section 2.3.

HEARING - A public meeting held by a committee of Congress to investigate legislation by gaining an overview of the issue or gathering background information on the item. Written testimony and discussion from a these meetings are also classified as hearings.

HISTORIC DISTRICTS - a) A district listed in the National Register or b) created and controlled by city.

HISTORIC SITE - A structure or location "possessing exceptional value of quality in illustrating or interpreting the cultural heritage of our Nation..." 2

HISTORIC INVENTORY - A list of properties selected from the survey by using set criteria, such as those for the National Register of Historic Places.

HISTORIC PRESERVATION - Generally, saving from destruction or deterioration old and historic buildings, sites, structures and objects and providing for their continued use by means of restoration, rehabilitation or adaptive use.

HISTORIC RESOURCES SURVEY - A compilation of information on the historical and physical character of a community through field-work and historical research.

ITEM NUMBER - Numbers used by depository libraries.

NATIONAL REGISTER - National Register of Historic Places.

PRESERVATION - see "Historic Preservation"

REGULATIONS - Laws passed in the form of rules from the executive branch which usually deal with the details of administering laws of the legislative bodies.

STATUTES - A legislative enactment in the form of rule, ordinance, decree, or law.

SUPERINTENDENT OF DOCUMENTS SYSTEM - See section 2.4.

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1 Title 44, United States Code Section 1901.

2 Keune, Russell V., ed. The Historic Preservation Yearbook (Bethesda [MD]: Adler and Adler Publishers, Inc. 1984) 90.

Additional sources for defining terms relating to historic preservation:

Maddex, Diane, ed. The Brown Book: A Directory of Preservation Information (Washington: Preservation Press, 1983).

Keune, Russell V., ed. The Historic Preservation Yearbook: A Documentary Record of Significant Policy Developments and Issues (Bethesda [MD]: Adler and Adler Publishers, Inc. 1984).

Additional sources for defining terms relating to government information:

Hernon, Peter and Charles McClure Public Access to Government Information (Norwood: Ablex Publishing Co., 1984).

Morehead, Joe Introduction to United States Government Documents 3rd ed. Littleton [CO]: Libraries Unlimited, Inc., 1983.

1 INTRODUCTION

As the United States embarks on its third century, a most vital element of our past grows with us: our history. But without conscientious care for our material heritage, it will not survive the course of time and change. In the past century, greater public awareness of this very fact has given rise to increased governmental activity regarding the preservation of historic structures or sites. Consequently, the importance of continued public involvement in federal historic preservation issues cannot be overemphasized.

This resource guide is designed to introduce a researcher to sources of federal information regarding historic preservation, so that those interested in the conservation of this nation's historic structures can successfully seek and effectively use government information to the benefit of the preservation movement. Although focusing primarily on federal legislation, agencies, and publications, some basic information regarding preservation efforts at the state and local levels and in the private sector (i.e. monitoring agencies; professional organizations) is provided. The information and resources presented in this guide will be of use to beginning preservationists and students of preservation although individuals from the professional sector may find it useful as well.

This resource identifies agencies involved in historic preservation, lists publications containing relevant preservation information, and includes topics such as funding (with and without relation to the government), monitoring agencies, and preservation organizations. In order to illustrate the type of information extracted from government documents, this guide describes a variety of U.S. federal activities concerning historic preservation in the years 1984 through 1986. The resources and information detailed in this guide which are government publications can be obtained through a Depository Library (see section 2.5 Depository Libraries) or, in most cases, the Government Printing Office (see section 2.3).

Every attempt has been made to provide a succinct, accurate overview of the government resources and information available to the preservationist. Any omissions or misnomers are unintentional. Comments are suggestions from readers will be welcome.

1.1 BRIEF HISTORY OF THE U.S. PRESERVATION MOVEMENT

The first United States preservation law, the Antiquities Act of 1906, was enacted to safeguard the archeological resources of the southwest native Americans. This initial step

toward greater national involvement in preservation was followed a decade later by the creation of the National Park Service within the Department of the Interior. The National Park Service was charged with the duty of protecting natural historic resources in the United States. This role was expanded in the 1935 Historic Sites Act which, among other things, authorized the Secretary of the Interior, through the National Park Service, to designate National Historic Landmarks (the start of the National Register of Historic Places); to survey nationally significant historic sites, buildings and objects; and to acquire historic properties.

The National Trust for Historic Preservation was chartered in 1949 by the U.S. government and exists to this day as a major force in advocating national awareness and preservation of historic resources. Passage of the National Historic Preservation Act of 1966 resulted in part from heightened public interest in national heritage which encouraged congressional support of the preservation issue. This Act created the Advisory Council on Historic Preservation; expanded the scope of the National Register of Historic Places; created the Advisory Council on Historic Preservation; and provided funding provisions for preservationist work. Subsequently amended in 1980 and 1983, the Act of 1966 remains a vital force in the evolution of the preservation movement.

Since the mid 1970's, issues such as tax incentives and funding have become integral aspects of historic preservation policy. Tax incentives for the rehabilitation of historic buildings gained congressional acceptance in 1976 with revision occurring in almost every Congress. Grants-in-aid and funding projects which were implemented in the 1950's grew in number and importance in the years leading to 1980. Since the beginning of the Reagan Administration, federal enthusiasm for historic preservation has lessened. However one piece of legislation regarding historic preservation was passed into law in 1983 as a governmental act providing matching grant monies toward preservation projects in a joint effort to create jobs and to appease preservationists. At present, public interest in preservation remains acute but governmental support seems to be waning -- all the more reason for a resource guide such as this to help the general interested public stay abreast of government information in order to participate effectively in historic preservation issues.

2 GOVERNMENT DOCUMENTS

This section provides basic information important to understanding government documents. While this is not a comprehensive enumeration of government publications and guides to government information, it does introduce some primary sources of government information relevant to research in historic preservation.

2.1 DOCUMENTS PRODUCED BY THE LEGISLATIVE BRANCH

Administrative Reports (primarily agency reports to Congress)
Committee and Commission Reports
Research Reports
Statistical Data
General Information Pamphlets
Periodicals
Press Releases
Directories
Bibliographies and Lists
Maps and Charts
Audiovisual Resources
Bills and Resolutions
Hearings
Journals and Proceedings
Laws and Statutes3

2.2 DOCUMENTS PRODUCED BY THE EXECUTIVE BRANCH

Administrative Reports
Committee and Commission Reports
Statistical Data
General Information Pamphlets
Periodicals
Press Releases
Directories
Bibliographies and Lists
Decisions and Opinions
Rules and Regulations
Maps and Charts
Audiovisual Resources
Hearing
Laws and Statutes4

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3 Hernon, Peter. Public Access to Government Information (Norwood: Ablex Publishing Corp., 1984) 45.

4 Hernon 45.

Of course not all of the previous types of documents simultaneously contain historic preservation information. Government documents which commonly contain historic preservation information are Committee and Commission Reports; Rules and Regulations; Hearings; Laws and Statutes; Bills and Resolutions; and Journals and Proceedings.

2.3 PUBLICATION AND DISTRIBUTION OF GOVERNMENT DOCUMENTS

2.3.1 GOVERNMENT PRINTING OFFICE

Government Printing Office
N. Capitol and 8th Streets, NW
Washington, DC 20401
202/275-2051

The Government Printing Office (GPO), operating under the Legislative Branch of the U.S. Government, exists to serve Congress, other federal agencies, and the public as allowed by law. The GPO manages the printing, binding and distribution needs of the U.S. government. The holdings of federal depository libraries contain many publications printed under the auspices of the GPO.

Note:
It is not uncommon for large or powerful governmental agencies to publish the information produced by their own agency. Also, government information can be printed or published by a federally contracted commercial publisher.

2.3.2 GOVERNMENT BOOKSTORES

A list of government bookstores is available in the front of the Monthly Catalog of U.S. Government Publications (Washington: Government Printing Office). The more recent issues of the Monthly Catalog will contain the most current information concerning government bookstores.

2.4 SUPERINTENDENT OF DOCUMENTS CLASSIFICATION SYSTEM

The Superintendent of Documents Classification system provides for the organization of government publications. The classification number (called a SuDoc #) consists of alpha-numeric designations for author, subordinate offices, series, related series, class stem, and book numbers.

SuDoc Numbers follow a format similar to this:

I 29.6/6CT which is the SuDoc Number for National Historic Sites Information Circulars from the Dept. of the Interior

Y 3.H62:1/date which is the SuDoc Number for the Annual Reports for the Advisory Council on Historic Preservation

The SuDoc Number (S/N) is also the order number for publications available through the GPO. To determine if a particular publication can be obtained through the GPO, consult the Publications Reference File (PRF) in the depository library. PRF lists items that are in stock at the GPO (see section 2.6.3). The GPO requires prepayment of all orders by individuals.

2.5 DEPOSITORY LIBRARIES

"The depository program of the Government Printing Office (GPO) consists of approximately 1,400 libraries classified as either regional or partial depositories, or as receiving depository status by congressional designation, federal law, or special legislation."5

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5 Hernon, Peter, Charles R. McClure, and Gary P. Purcell. Government Printing Office's Depository Library Program (Norwood [NJ]: Ablex Publishing Corp., 1985) 1.

There are three types of depository libraries :

1) A complete or full depository library receives all federal documents, called "depository items", that are made available by the Superintendent of Documents to depository libraries.

2) A selective depository library chooses the depository items it wishes to obtain.

3) A regional depository library normally receives the same categories of documents as a complete depository. The library is expected to be easily accessible to all residents of the state and to provide interlibrary loan materials to selective depository libraries.

A depository library can be located by contacting the local branch of the federal government (listed in the telephone book under United States Government) or by inquiring at any library.

2.6 LOCATING AND RESEARCHING GOVERNMENT DOCUMENTS

It is helpful to obtain an overview of the most essential resources useful for locating and researching government information. This section describes selected indexes and other reference tools. For a closer examination of these and additional sources, consult any of the following books:

Introduction to United States Public Documents 3rd edition, by Joe Morehead. Littleton, Colorado: Libraries Unlimited, Inc. 1983.

Fedfind by Richard J. D'Aleo. Annandale: Information Communications Users Company, 1982.

Using Government Documents by Jean L. Sears and Marilyn K. Moody. Phoenix, Arizona: Oryx, 1985. 2 vols.

The materials cited in this resource guide are divided into the following categories: a) Sources providing full text, b) Indexing and abstracting services, and c) Additional reference sources. These items are identified as commerically or governmentally produced. Such distinctions will enable the user to identify the objectives and characteristics of these tools and thus develop additional skills in government document searching.

2.6.1 FULL TEXT GOVERNMENT DOCUMENTS

Code of Federal Regulations, Washington, DC: Government Printing Office.

Code of Federal Regulations (CFR) is the annually revised codification of the general and permanent rules of the Executive departments and the federal agencies. The CFR is updated continually by the subsequent additions appearing in individual issues of the Federal Register and Code of Federal Regulations, LSA (LSA = the List of CFR Sections Affected). Therefore, the Federal Register, the CFR and the CFR, LSA are used together to determine the latest version of any given rule. The Index to the Code of Federal Regulations is issued annually by the government and historic preservation information can be located in the index under the heading "Historic".

The Congressional Record, Washington, DC: Government Printing Office.

A governmentally produced transcript of the Congressional floor proceedings including such items as debates, speeches, and reports. It is has an accompanying federally produced index in which historic preservation information can be found under such titles as "Historic Buildings" and "Historic Sites."

Federal Register, Washington, DC: Government Printing Office.

The daily Federal Register provides a uniform system for publishing Presidential and executive agency documents including Executive orders and notices of Federal agencies. Also includes non-regulatory, public interest announcements: advisory committee meetings, grant application deadlines, and availability of environmental impact statements.

Statutes At Large, Washington, DC: Government Printing Office.

A governmental compilation of the laws or statutes enacted during a congressional session. The laws are published in chronological order with a volume index providing additional points of access to the information contained within the statutes. Historic preservation information is index under the terms "Historic sites" and "Historic properties."

U.S. Code, Washington, DC: Government Printing Office.

Statutes of a permanent and general nature are consolidated and codified into fifty "Titles", or broad subject fields. A subject index provides access to topics such as historic preservation. The U.S. Code represents the current slate of federal laws in effect in the United States. In the index, historic preservation information can be located by the terms "Historic sites, buildings, objects, and antiquiteis" and "Historically or architecturally valuable structures or areas."

The U.S. Code Congressional and Administrative News, St. Paul [Minn.]: West Publishing Co.

A compilation of select laws, hearing, and reports; includes detailed legislative histories of selected enacted laws. A variety of indexes are included for ease of use. Historic preservation information can be found listed in the index under the term "Historic--".

Weekly Compilation of Presidential Documents, Washington, DC: Government Printing Office.

This governmentally produced periodical contains the text of the communications of the President including speeches, Executive orders, bill signing proceeding, appointments of Government officials, public statements and press conferences. Each issue is indexed, cumulative indexes are compiled several times a year, and an annual index is produced. In the index, historic preservation information is found under the term "Historic --".

2.6.2 INDEXING AND ABSTRACTING SERVICES FOR GOVERNMENT DOCUMENTS

American Statistics Index, Bethesda [MD]: Congressional Information Services, Inc.

Provices access to statistical publications of the government and to other government documents that include statistics. An index to the abstracts may be search by subject. Historic preservation information would be found under the heading: "Historic sites."

Congressional Index, Chicago: Commerce Clearing House, Inc.

A guide to the activities of the legislative branch. It facilitates research on the status and history of legislation. Public bills and resolutions are listed, summarized, and indexed. The progress of legislation through Congress is charted.

Information on historic preservation can be found under the subject heading: "Historic Sites."

Congressional Information Service, Bethesda [MD]: Congressional Information Service, Inc.

Includes abstracts of congressional publications and public laws including hearings; committee prints; House and Senate reports; documents; executive reports and treaty documents; and special publications. Congressional actions are accessed through the three seciongressional actions are available through the three sections of CIS: Index, Abstracts, and Legislative Histories.

Information on historic preservation may be found under the term: "Historical Sites." The CIS accession numbers with each index entry indicate where information on that government document is located within the CIS Abstracts, the CIS Legislative Histories, and the CIS Microfiche series.

Federal Register Index, Bethesda [MD]: Congressional Information Services, Inc.

Provides a comprehensive index to the Federal Register. Historic Preservation Information is indexed under the topics "Historic Preservation" and "Historic Sites."

Federal Register Index, Washington, DC: Government Printing Office.

Itemizes the contents of the Federal Register.

GAO Documents, Washington, DC: General Accounting Office.

Issued on a monthly basis to provide access to GAO information reports, opinions, testimonies, and speeches. In the subject index, historic preservation information can be located under the word "Historic ---."

Index to U.S. Government Periodicals, Chicago: Infordata International Inc.

This is a computer-generated index to articles published in U.S. government periodicals. It provides access to by subject and author. Historic preservation information can be found under the headings beginning with "Historic --".

The Monthly Catalog of U.S. Government Publications, Washington, DC: Government Printing Office.

Issued by the Superintendent of Documents, the Monthly Catalog provides access to a large number of U.S. government publications by author, title, subject, series, and report numbers. Most of the entries are depository items, available through Depository Libraries. Information on the subject of Historic preservation can be found under those headings beginning with "Historic __".

The Publications Reference File (PRF), Washington, DC: Government Printing Office.

A microfiche index that provides order and stock information for GPO publications. An introductory guide supplies all pertinent instructions for use.

2.6.3 ADDITIONAL REFERENCE SOURCES

Congressional Digest, Washington, DC: Congressional Digest Corp.

Each issue of this commercially produced magazine features a prominent concern in current legislation. The topics covered in Congressional Digest are indexed in Public Affairs and Information Service (PAIS), The Social Science Index, The Magazine Index, Current Contents, and Readers' Guide.

Congressional Quarterly, Washington, DC: Congressional Quarterly, Inc.

A summary of newsworthy legislation, providing an easy to comprehend source for following legislative action. Each weekly issue summarizes what happened in Congress, national politics, and the Supreme Court for that week. Indexed quarterly and compiled annually.

3 NATIONAL AGENCIES AND COMMITTEES INVOLVED IN HISTORIC PRESERVATION AND THEIR PUBLICATIONS

The following federal agencies or committees are involved in historic preservation. Their subsequent publications are listed along with the corresponding SuDoc number.6

3.1 U.S. DEPARTMENT OF THE INTERIOR

C Street between 18th and 19th Streets NW
Washington, DC 20240
202/343-3171

The Department of the Interior is the nation's principal conservation agency. It has basic responsibilities to protect and conserve U.S. land and water, energy and minerals, fish and wildlife, parks and recreation areas and to insure the wise use of these resources.

The Secretary of the Interior is responsible for establishing standards for all programs under the authority of that office which affect cultural resources that are listed or are eligible for listing in the National Register of Historic Places. In fulfillment of this responsibility, the Heritage Conservation and Recreation Service (1978-1981) developed the Secretary of the Interior's Standards for Historic preservation Projects (see Sec. 7, Publications about Historic Preservation under the author Morton W. Brown III). These standards define the general and specific treatment that may be applied to registered properties.

3.1.1 OFFICE OF THE NATIONAL REGISTER OF HISTORIC PLACES

National Park Service
C Street Between 18th and 19th Streets NW
Washington, DC 20240
202/343-3171

The National Register serves as the nation's official list of historic architectural, archeological and cultural resources worthy of preservation. It is maintained by the U.S. Department of the Interior. The National Register was established in 1935 to encourage historic preservation in the U.S.

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6 The SuDoc Number is needed for ordering publications from the GPO and is helpful for locating certain government documents in depository libraries.

The benefits for a site which has been accepted for National Register listing include:

1. Recognition that a property is of significance to the nation, state or community.

2. Consideration in the planning for federally assisted projects, including review by the Advisory Council on Historic Preservation under Section 106 of the National Historic Preservation Act of 1966.

3. Eligibility for certain federal tax benefits, such as the investment tax credit for rehabilitation of income-producing buildings and the charitable deduction for donation of easements.

4. Qualification for federal preservation grants when funding is available.

5. Consideration in the issuance of surface coal mining permits.7

Publication:
National Register of Historic Places 1959- [irreg]
(170.17:date. See also: I 70.2:H 62/2)

Provides listing of buildings, structures, objects, sites, districts deemed of historical value and worthy of preservation.

Additional books available on the subject of the National Register:

National Register of Historic Places Ronald M. Greenberg and Sarah A. Marusin, Eds. National Park Service, U.S. Dept. of the Interior Washington: GPO, 1976. Vol II 1979. The National Register Nomination Process and evaluation criteria are included in this book.

How to Complete National Register Forms. Washington: U.S. Dept. of the Interior, 1977.

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7 Maddex, Diane, Ed. The Brown Book: A Directory of Preservation Information. (Washington: The Preservation Press, 1983) 87.

3.2 NATIONAL PARK SERVICE

National Parks Service
C Street Between 18th and 19th Streets NW
Washington, DC 20240
202/343-3171
Mary Lou Grier, Acting Director

"Administers for the American people an extensive system of national parks, monuments, historic sites, recreation areas. The objectives of the National Park Service are to administer the properties under its jurisdiction for the enjoyment and education of our citizens, to protect the national environment of the areas, and to assist states, local governments and citizen groups in the development of park areas, the protection of the natural environment and the preservation of historic properties."8

Publications:

Annual Reports (I 29.1:date) 9

National Historic Sites Information Circulars [irreg] (I 29.6/6CT)

Handbooks, Manuals, Guides (I 29.9/2:CT)

National Register of Historic Places (I 29.76:date. See also: I 70.17)

Historic American Buildings Survey [irreg] (I 29.74:CT)

Advisory list of National Register of Historic Places (I 29.76/2:date)

Historic Structure Reports (I 29.88:CT. See also: I 70.10)

Historic Structures and Grounds Report (I 29.88/4:CT)

Preservation Case Studies [irreg] (I 29.104:CT. Earlier: I 70.12/2)

Purpose: to provide a series of studies of successful historic preservation projects showing economic benefits, energy savings and other aspects of interest to those concerned with the preservation of historic structures.

8Catalog of Federal Domestic Assistance. Executive Office of the President (Washington: GPO 1986) 23.

9 SuDoc Number. For explanation see Sec. 2.4

Preservation Planning Series [irreg] (I 29.104/2:CT. Earlier I 70.12/3)

Technical Reports (I 29.109:nos)

3.2.1 HERITAGE CONSERVATION AND RECREATION SERVICE (1978-81)

Heritage Conservation and Recreation Service, a non-land managing agency within the Department of the Interior, was in existence from 1978 to 1981 and was responsible for assuring the identification, protection and beneficial use of the important cultural, natural and recreational resources of the U.S. The Service offered grant assistance, technical information, and guidance to those in public and private sector involved in conservation or recreation projects. After being dissolved in 1981, the National Park Service took over its duties.

Publications:

Annual Report (I 70.1 date. See also: I 29.88.)

Historic Structures Report [irreg] (I 70.10:CT)
Each report pertains to one structure which is to be preserved. Includes analysis of construction techniques and alterations.

Preservation Briefs [irreg] (I 70.12:nos. See also: I 29.84)

3.3 ADVISORY COUNCIL ON HISTORIC PRESERVATION

Advisory Council on Historic Preservation
Room 809, 1100 Pennsylvania Avenue, NW
Washington, DC 20004
202/786-0503
Robert R. Garvey, Jr., Executive Director

The Council is an independent federal agency which serves as a major policy advisor to the president and Congress regarding preservation issues. Responsibilities include: review of federal undertakings affecting National Register properties, consultation with agencies developing federal policies and programs, an annual report to the president and Congress,

recommendations on improvements in that national preservation program, provision of advice and technical assistance on legislative matters, undertaking of special preservation studies and coordination of U.S. membership in the International Center for the Study of the Preservation and the Restoration of Cultural Property.

Publications:

Annual Report (Y 3.H62:1/date)

General Publications (Y 3.H62:2 CT)

Handbooks, Manuals, Guides [irreg] (Y 3.H62:8CT)

* 3.4 NATIONAL TRUST FOR HISTORIC PRESERVATION

National Trust for Historic Preservation
1785 Mass. Ave. NW
Washington, DC 20036
202/673-4000

The Trust is a non-governmental organization, composed of national, regional, state and local historic societies and many interested individuals who have voluntarily joined together to further the preservation and interpretation of historic sites and buildings. Supported by memberships, endowment, contributions and matching grants from the National Park Service (Dept. of the Interior) under provisions of National Historic Preservation Act of 1966.10 A clearinghouse of information on all aspects of preservation, assists in coordinating efforts of preservation groups, provides professional advice on preservation, conducts conferences and seminars, maintains historic properties, administers grant and loan programs and issues a variety of publications.

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10 Mulloy, Elizabeth D. History of National Trust for Historic Preservation 1963-1973 (Washington: Preservation Press, 1974) 4.

3.5 CONGRESSIONAL COMMITTEES AFFECTING PRESERVATION

House Committee on Appropriations

Sidney Yates (D Illinois), Chmn.
Subcommittee on Interior and Related Agencies
B308 Rayburn House Office Building
Washington, DC 20515
202/225-3081

House Committee on Interior and Insular Affairs

John F. Seiberling (D Ohio), Chmn.
Subcommittee on Public Lands and National Parks
300 New Jersey Avenue, SE
Washington, DC 20515
202/226-7734

Senate Committee on Appropriations

James McClure (R Idaho), Chmn.
Subcommittee on Interior and Related Agencies
114 Dirksen Senate Office Building
Washington, DC 20510
202/224-7257

Senate Committee on Energy and Natural Resources

Malcolm Wallop (R Wyoming), Chmn
Subcommittee on Public Lands, Reserved Water and Resource Conservation
308 Dirksen Senate Office Building
Washington, DC 20510
202/224-0613

To determine the membership of committees in the future, consult the Congressional Staff Directory, Charles B. Brownson, Editor. Published annually in Mount Vernon, Virginia by the Congressional Staff Directory, Ltd., P.O. Box 62, 22121.

3.6 FEDERAL PRESERVATION OFFICERS

Under Section 110(c) of the National Historic Preservation Act of 1966, each Federal agency shall, unless exempted under Section 214, have a qualified official to act as the agency's "preservation officer" who shall be responsible for coordinating that agency's activities under this Act. Contact each agency to obtain agency preservation contact.

3.7 DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Department of Housing and Urban Development (HUD)
Office of Community Planning and Development
451 7th Street, SW
Washington, DC 20410

The Community Planning and Development Assistant Secretary assures departmental compliance with National Historic Preservation Act of 1966 in all developments by the HUD Office of Community Planning and Development. Contact Assistant Secretary of Community Planning and Development.

4 CONGRESSIONAL ACTION CONCERNING HISTORIC PRESERVATION (Excluding Funding. For Funding see Sec. 5)

This section lists legislative and executive actions regarding historic preservation. This is by not a complete compilation of relevant government legislation for the years 1984-1986, but is a representative sample of the variety of government publications produced a two year period on the subject of historic preservation.

The following citations were extracted from resources outlined in section 2.6 of this guide. The issuing body, title of document, and SuDoc Number (where possible) are given for each government publication so that the actual document can be located in a Depository Library. Citations by the Congressional Information Services, Inc. lead to the CIS microfiche series. "H131-8" and similar symbols represent the accession number assigned by the CIS to each legislative document. This number is used to locate CIS microfiche copies. See the introduction to the CIS/Index for details.

4.1 HOUSE ACTION

U.S.House. Committee on Interior and Insular Affairs. Commending the Historic American Buildings Survey (H.Rept. 98-662). Washington, 1984. (Y1.1/8:98-662). H443-12.

Recommends passage with amendments of S.J. Res. 173, to commend the Historic American Buildings Survey (HABS), a joint National Park Service, Library of Congress and American Institute of Architects program to survey and document historically and architecturally significant U.S. buildings, on the occasion of HABS 50th anniversary.

U.S. House. Committee on Interior and Insular Affairs. Public Land Management Policy, Part VII. (Serial No. 98-8). Washington: Government Printing Office, 1985. (Y 4.IN8/14:98-8/pt. 7). H441-24.

Continuation of hearings before the Subcommittee on Public Lands and National Parks, in this volume to review FY85 budget proposals for the National Park Service (NPS) and the Land and Water Conservation Fund (LWCF).

Appendix (p. 105-323) includes submitted statements, correspondence, and: a) Advisory Council on Historic

Preservation (ACHP), analysis of President's Private Sector Survey on Cost Control in the Federal Government (PPSSCC) recommendations to eliminate ACHP regulations relating to protection of historically significant sites, Mar. 1984, with PPSSCC recommendations, agency reports, and correspondence (p.246-303). b) NPS, Historic Preservation Fund FY83 expenditures reported by States, summary tables (p.309-323).

U.S. House. Committee on Education and Labor. American Conservation Corps Act of 1985. (H.Rept. 99-18 pt. 2). Washington, 1985. (Y1.1/8:99-18. pt. 2). H343-3.

Recommends passage with an amendment of H.R. 99, the American Conservation Corps Act of 1985, to establish an American Conservation Corps program under Interior Dept and USDA administration to provide youth employment opportunities in programs to conserve and improve natural and cultural resources located on Indian and public lands. Includes provisions to authorize special consideration for disadvantaged youth and youth from areas of high unemployment. Includes minority, additional minority, and individual views. (p.28-31).

U.S. House. Committee on Interior and Insular Affairs. Recognizing the Accomplishments over the Past 50 Years Resulting from the Passage of the Historic Sites Act of 1935, One of This Nation's Landmark Preservation Laws. (H.Rept. 99-233). Washington, 1985. (Y1.1/5:99-233). H443.21.

Recommends passage of H.J. Res. 299, recognizing the significance of the Historic Sites Act of 1935 in the development of programs and policies to preserve America's cultural and historic heritage.

U.S. House. Committee on Interior and Insular Affairs. American Conservation Corps Act of 1985. (Serial No. 99-12). Washington: Government Printing Office, 1986. (Y4.IN8/14:99-12). H441.12.

Hearing before the Subcommittee on Public Lands to consider H.R. 99 (text, p.4-33), the American Conservation Corps Act of 1985, to establish an American Conservation Corps program under Interior Dept and USDA administration to provide youth employment opportunities in programs to conserve and improve natural and cultural resources located on Indian and public lands.

4.2 SENATE ACTION

U.S. Senate. Committee on Energy and Natural Resources. National Historic Preservation Act Amendment. (S.Rept. 98-623). Washington, 1984. (Y1.1/5:98-623). S313-41.

Recommends passage, with an amendment in the nature of a substitute, of H.R. 2889, to amend the National Historic Preservation Act to authorize FY85-FY89 appropriations for the Advisory Council on Historic Preservation.

U.S. Senate. Committee on Energy and Natural Resources. Amending the National Historic Preservation Act; Miscellaneous Conveyances; Fee Exemptions; and Assistance to Volunteer Groups. (S.Hrg. 98-1180). Washington: Government Printing Office, 1985. (Y4.EN2:S.Hrg. 98-1180). S311.23.

Hearing before the Subcommittee on Public Lands and Reserved Water to consider the following bills:

H.R. 2889 (text, p.4-9) to amend the National Historic Preservation Act to authorize FY85-FY88 appropriations for Interior Dept grants to the nonprofit National Building Museum (NBM) for museum start-up costs and to the nonprofit National Learning Center for operation of the Capitol Children's Museum and the Learning Opportunity Center in Washington, D.C. Also authorizes FY85-FY89 appropriations for the Advisory Council on Historic Preservation.

4.3 PUBLIC LAWS

Listed here as an example of historic preservation legislation which was passed into law is Public Law 98-483 (P.L. 98-483). The activities and reports relevant to the history of this legislation are included as well.

PUBLIC LAW 98-483 (Introduced as H.2889)

Advisory Council on Historic Preservation Authorization. (P.L. 98-483). (H.R.2889). To amend the National Historic Preservation Act, and for other purposes. (CIS84:PL98-483).

Authorizes FY85-FY89 appropriations for the Advisory Council on Historic Preservation.

P.L. 98-483 Reports:

U.S. House. Committee on Energy and Natural Resources National Historic Preservation Act Amendments. (H.Rept. 98-761). Washington, 1984. (Y1.1/8:98-761).

U.S. Senate. Committee on Energy and Natural Resources National Historic Preservation Act Amendment. (S.Rept. 98-632). Washington, 1984. (Y1.1/5:98-623).

P.L. 98-483 Debate:

June 4, H.R. 2889 considered and passed House (Congressional Record, 121, Pt. 73(June 4, 1984) p. 5164.)

Oct. 3, H.R. 2889 considered and passed Senate, amended (Congressional Record 121, Pt. 73(Oct. 3, 1984) p. 12818.)

Oct. 4, House concurred in Senate amendment (Congressional Record 121, Pt. 73(Oct. 4, 1984) p. 11450.)

4.4 RULES AND REGULATIONS - PASSED AND PROPOSED

Rules and regulations, commonly referred to as administrative law, represent the efforts of an agency within the executive or legislative branch of government to establish procedures by which statutory law is administered. 11

4.4.1 ENACTED RULES AND REGULATIONS

"American Antiquities, Preservation," Code of Federal Regulations Title 43. Pt. 3, 1986 ed. pp. 34-36.

"Historic Preservation Advisory Council, Protection of Historic and Cultural Properties," Code of Federal Regulations Title 36, Pt 800. 1986 ed. pp. 288-307.

"Historic Preservation Certifications of Buildings and Structures Pursuant to Tax Reform Act of 1976, Revenue Act of 1978, Tax Treatment Extension Act of 1980, and Economic Recovery Tax Act of 1981," Code of Federal Regulations Title 36, Pt. 67. 1986 ed. pp. 312-328.

"Leases and Exchanges of Historic Property," Code of Federal Regulations Title 36, Pt. 18. 1986 ed. pp. 195-199.

"National Historic Landmarks Program," Code of Federal Regulations Title 36, Pt. 65. 1986 ed. pp. 302-312.

"National Historic Preservation Act, Waiver of Federal Agency Responsibilities under Section 100," Code of Federal Regulations Title 36, Pt. 78. 1986 ed. pp. 374-376.

"National Register of Historic Places," Code of Federal Regulations Title 36, Pt. 60. 1986 ed. pp. 255-271.

"Determinations of Eligibility for Inclusion,[in National Register]" Code of Federal Regulations Title 36, Pt. 63. 1986 ed. pp. 292-294.

"Secretary of Interior's Standards for Historic Preservation Projects," Code of Federal Regulations Title 36, Pt. 68. 1986 ed. pp. 328-331.

"State and Local Government Historic Preservation Programs, Approved Procedures," Code of Federal Regulations Title 36, Pt. 61. 1986 ed. pp. 271-285.

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11 Hernon, Peter and Charles McClure. Public Access to Government Information. (Norwood: Ablex Publishing Co., 1984) 52.

"Conflicts of Interest, Advisory Council on Historic Preservation," Code of Federal Regulations Title 36, Pt. 811. 1986 ed. pp. 321-326.

4.4.2 PROPOSED RULES AND REGULATIONS

Proposed Rulemaking and Request for Comments:

Department of the Interior, National Park Service. Oct. 28, 1985."Preservation of Historical and Archeological data." (Federal Register 50:208(28 Oct. 1985) p. 43587.)

The Dept of Interior is considering a rule to implement its responsibility to preserve historical and archeological data endangered by federal construction activities and federally permitted and assisted activities.

Proposed Rule:

Department of the Interior, National Park Service. Aug. 5, 1986. "National Register eligibility revision." Proposed rule by the Dept. Interior's National Register of Historic Places. Intended to clarify, streamline, and bring up-to-date the various administrative procedures for identification of historic and archeological properties described in the National Historic Preservation Act 1966. (Federal Register 51:150(5 Aug. 1986) p. 28204.)

4.5 GENERAL ACCOUNTING OFFICE (GAO) REPORTS

GAO Information Handling and Support Facility
Box 6015
Gaithersburg, MD 20877
202/275-6241
Attn: appropriate contact

The General Accounting Office is an independent,non-political agency in the legislative branch of the U.S. Government and supplies Congress, the Government and the public with studies and reports on policy issues. Historic preservation information is occasionally reported on by the GAO. Listed here are several examples of GAO documents regarding historic preservation as cited in the GAO Reports, located in the depository library.

Examples of GAO Reports:

Report on Historic Preservation Tax Incentives
March 29, 1984 (GAO Report # GGD-84-47;B-214148)

Report to: Sen. Robert Dole, Chmn. Joint Committee on Taxation

Involved agencies: National Park Service; Internal Revenue Service; Department of the Treasury.

The Report provided information on tax provisions relating to rehabilitation of certified historic structures authorized in the Tax Reform Act of 1976 and 1978.

Contact at GAO address for copy of report: General Government Division

Report on Federal Government's Progress in implementing a National Archeological and Historic Preservation Program
May 30, 1984 Released June 11,1984 (GAO Report # RCED-84-114; B-125045)

Report to: Rep. Morris Udall, Chmn. House Committee on Interior and Insular Affairs

Involved agencies: Department of the Interior; Advisory Council on Historic Preservation; Office of Management and Budget

GAO provided follow up information on: Federal agency actions to protect and preserve archeological and historic sites on Federal lands in compliance with Historic Preservation Act amendments of 1980; Status of Dept. of the Interior in State historic preservation plans.

Contact at GAO address for copy of report: Resources, Community and Economic Development Division

Results of Questionnaire on Federal Agency Historic Preservation Activities
Dec. 10, 1985 Released Jan 9, 1986 (GAO Report # RCED-86-60FS; B-125045)

Report to: Rep. John F. Seiberling, Chmn. House Committee on Interior and Insular Affairs: Public Lands Subcommittee

Involved: Advisory Council on Historic Preservation; Department of the Interior.

GAO summary of question about federal historic preservation activities.

Contact at GAO address for copy of report: Resources, Community and Economic Development Division.

Results from Questionnaire on State Historic Preservation Activities
Dec. 10, 1985 Released Jan. 9, 1986. (GAO Report # RCED-86-45FS; B-125045)

Report to: Rep. John Seiberling, Chmn. House Committee on Interior and Insular Affairs: Public Lands Subcommittee.

GAO summary of responses to questionnaire about historic preservation activities.

Contact at GAO address for copy of report: Resources, Community and Economic Development Division.

4.6 FEDERAL STATISTICAL DATA REGARDING HISTORIC PRESERVATION

Federal source for historic preservation statistical data:

U.S. Department of the Interior
National Park Service
C St. between 18th and 19th Streets, NW
Washington, DC 20240
202/343-3171

$25.5 Million in Historic Preservation Grant Funds Apportioned. Nov. 21, 1984. 5544-9. 12

Annual statistical release on Department of the Interior's FY85 budget allocations for historic preservation

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12 The final numeric unit in each of the following citations is the American Statistics Institute (ASI) accession number which correlates to the ASI microfiche collection.

Grants-in-Aid. Contains narrative summary and tabular list of FY85 allocations by state, outlying area and for the National Trust for Historic Preservation.

Interior Secretary Approves Grants for Damaged or Threatened National Historic Landmarks. Oct. 22, 1984. 5548-14.

Press release announcing FY84 special Historic Preservation Fund Grants-in-Aid to 6 states for national historic landmark preservation for damaged or deteriorating landmarks that are not government owned. 1 table.

FY86 Apportionment to the States, Territories, and the National Trust for Historic Preservation Fund under PL 99-190. 5544-9.

Annual statistical release on Dept. of the Interior's FY86 budget allocations for historic preservation Grants-in-Aid. Contains narrative summary and tabular lists of FY86 allocations by state, outlying areas and for the National Trust for Historic Preservation.

5 STATE AND LOCAL HISTORIC PRESERVATION

5.1 STATE HISTORIC PRESERVATION OFFICES

State Historic Preservation Offices (SHPOs) are a key agency at the state level for historic preservation. Such issues as funding, tax incentives, education of the public, and information dissemination through clearinghouses are among the main concerns of SHPOs.

SHPOs aid in National Register certification process by providing historic preservation certification application forms, working with potential applicants to complete forms, reviewing submitted applications and by forwarding forms to the National Register listing for determination of historical certification.

A complete list of SHPOs is available in Appendix E of The Historic Preservation Yearbook: A Documentary Record of Significant Policy Developments and Issues by Russell V. Keune, ed. (Bethesda [MD]: Adler and Adler Publishers, Inc., 1984).

5.2 CONGRESSIONAL ACTIVITY REGARDING STATE AND LOCAL HISTORIC PRESERVATION

The following is an example of Congressional activity relating to historic preservation at the state and local level.

Ruling:

National Park Service. "Procedures for Approved State and Local Government Historic Preservation Programs." Aug. 30, 1986. (Federal Register 50:169(30 Aug. 1985) p. 35223.)

> These rules present the requirements for approval of state and local historic preservation programs participating in programs as specified in the National Historic Preservation Act, as amended in 1980. This ruling makes it necessary to implement procedures for approval of State Programs; certification of local government when a state program does not exist; and establish process for funding certified local governments when there is no state program. These provisions are necessary to implement provisions specified in National Historic Preservation Act of 1966 as amended in 1980.

5.3 STATE AND LOCAL TAX INCENTIVES

See section 6.3

6 HISTORIC PRESERVATION FUNDING AND INCENTIVES

Because government criteria for historic preservation funding and incentives for preservation work are not cast in stone, changes in current laws are always possible. It is necessary to be aware of the type of government documents most likely to contain information relating to funding and incentives for preservation activities.

6.1 CONGRESSIONAL HEARINGS

U.S. House. Appropriations Committee. Budget Explanation. Washington: Government Printing Office, 1984. (Y4.Ap6/1:In8/6/985/pt. 11).

National Park Service request for FY 85 for recreational, natural, and cultural resources programs, including termination of Historic Preservation Fund grants to states and Urban Park and Recreation Fund grants to local governments.

U.S. House. Appropriations Committee. Budget Explanation. Washington: Government Printing Office, 1984. (Y4.Ap6/1:In8/6/985/pt. 6).

Advisory Council on Historic Preservation FY 85 request. Insertions:

a) Justice Dept., Advisory Council on Historic Preservation authority to issue regulations regarding Federal agency operations on potential historic sites, legal opinions, 1983 (p.673-724).

b) Advisory Council on Historic Preservation, "Review of Draft Office Management and Budget Legal Opinion on Section 106 Regulations" Mar. 3, 1983 p. 725-741.

U.S. House. Appropriations Committee. Dept. of the Interior Appropriations for 1986. Washington: Government Printing Office, 1985. (Y4.Ap6/1:In8/986/pt. 11).

Continuation of hearings before the Subcommittee on Interior Appropriations to consider FY86 budget requests for Interior Dept and related agencies. Testimony abstracts include page references to matching submitted justifications in Parts 2 and 3.

Includes subject index.

U.S. House. Appropriations Committee. Dept. of the Interior and Related Agencies Appropriations for 1987. Washington: Government Printing Office, 1986. (Y4 Ap6/1:In8/6/987/pt. 1).

Contains budget justification materials submitted to the Subcommittee on Interior Appropriations for use during hearings to consider FY87 budget requests of Interior Dept and related agencies. This volume contains justification materials for the National Park Service (p.731-1096), including FY86 supplemental request for fire suppression programs, ...land acquisition, and historic preservation activities.

GAO Report may also contain information pertinent to funding and incentives. See section 4.5.

6.2 SENATE ACTION

6.2.1 SENATE HEARINGS

U.S. Senate. Appropriations Committee. Department of the Interior and Related Agencies Appropriations, FY 86, Part 1. (S.Hrg. 99-97). Washington: Government Printing Office, 1985. (Y4.Ap6/2: S.hrg. 99-97/pt. 1).

Hearings before the Subcommittee on Interior Appropriations to consider H.R. 3011, to make FY86 appropriations for Interior Dept. and related agencies. Supplementary material (p.2-450,521-523, 638) includes statements and correspondence, with statements of nondepartmental witnesses of the following:

National Park Service (p.28-92), National Endowment for the Arts (p.429-447), National Endowment for the Humanities (p.448-450) among others. Includes a subject index by agency.

U.S. Senate. Appropriations Committee. Department of the Interior and Related Agencies Appropriations, FY85, Part 2. (S.hrg. 98-1088). Washington: Government Printing Office, 1984. (Y4.Ap6/2:S.hrg 98-1088/pt. 2).

Continuation of hearings before the Subcommittee on Interior Appropriations to consider H.R. 5973, to make FY85 appropriations for Interior Dept and related agencies.

Includes departmental replies to Subcommittee questions and submitted statements regarding, among others:

Pennsylvania Avenue Development Corp. activities (p.991-995)

Advisory Council for Historic Preservation (p. 1051-1063)

Also includes subject index by agency.

U.S. Senate. Finance Committee. Miscellaneous Tax Bills, VII: S120,S. 1397, S. 1584, S. 1814, S. 1815, AND 2. 1826. (S.hrg. 98-527). [Washington?, 1984?]. (Y4.F49:S.hrg. 98-527).

Hearing before the Subcommittee on Taxation and Debt Management to consider the following miscellaneous tax bills (description, p. 2-33)

S. 1397 (text p.35-36) to liberalize the investment tax credit available for rehabilitation of certain older buildings to include buildings where at least 50% of the external walls are retained rather than the current 75% requirement.

U.S. Senate. Finance Committee. Statements and discussion: Recommendations to revise Administration tax reform including opposition to proposal to eliminate the rehabilitation tax credit providing incentives for investment in old and historic buildings. (S.hrg. 99-246). [Washington?, 1985?]. (Y4.F49:S.hrg. 99-246/pt.13).

Insertion: Economics Research Associates, "Impacts of Proposed Tax Changes on Local Economies" executive summary. July 1985 (p.265-273).

6.2.2 SENATE DOCUMENTS

U.S. Senate. Finance Committee. Deficit Reduction Act of 1984. Explanation of Provisions Approved by the Committee on Mar. 21, 1984. (S.Prt 98-169 v.1). [Washington?, 1984?]. (Y4.f49:S.prt. 98-169/v.1).

Under Title VIII: Misc. Revenue Provisions (p.711-937) i.: Subtitle I, to amend the Economic Recovery Tax Act of 1981 and five other acts to make misc. tax revisions, including liberalization of the investment tax credit for

rehabilitation of certain older buildings, extend the deduction allowed for removing architectural and transportation barriers to the handicapped and elderly...

6.3 TAX INCENTIVES FOR HISTORIC PRESERVATION REHABILITATION

6.3.1 FEDERAL TAXES

The Economic Recovery Tax Act of 1981 (PL 97-34) authorized an investment tax credit that is limited to structures that are either 1) used in a trade of business or 2) are held for income-producing purposes, such as commercial or rental properties. However, investment tax credits are not available for use in rehabilitating owner-occupied residences.

As stated at the beginning of this section, information regarding funding and incentives are subject to change. For current historic preservation federal tax information contact:

Technical Preservation Services Branch
Preservation Assistance Division
National Park Service
U.S. Department of the Interior
C St. between 18th and 19th Streets, NW
Washington, DC 20240
202/343-9578

The Technical Preservation Services Branch of the National Park Service is responsible for making historical and architectural determinations of which properties and districts qualify as certified historic structures and which proposals qualify as certified rehabilitations, using the Secretary of the Interior's Standards for Rehabilitation. National Park Service regional offices also participate in the certification process.

6.3.2 STATE AND LOCAL TAX INCENTIVES

Each state has different rules regarding federal tax incentives. Check with the SHPO for details.

* 6.4 THE FOUNDATION DIRECTORY AS A SOURCE FOR NON GOVERNMENTAL PRESERVATION FUNDING

The Foundation Directory compiled by the Foundation Center, Loren Renz, Editor. New York: The Foundation Center, 1985. Provides information on finances, governance and giving interests of the nation's largest grant making foundations. Used to identify potential funding sources. Foundations organized by state. Indexed by Donors; Officers and Trustees of foundations; Geographic index; types of support; subject; foundation name. Available in both paper and computerized formats.

Under Subject index, for example, information relevant to the funding of historic preservation projects might be located under the term "Historic Preservation" and in the Types of Support index, "Building Funds" and "Special Projects" might each hold possible sources for historic preservation funds.

6.5 HISTORIC PRESERVATION FUND

Historic Preservation Fund was established in Sec. 108 of the National Historic Preservation Act of 1966 for the purpose of maintaining the moneys of the fund. Moneys are to be used to carry out the purposes of the National Historic Preservation Act and are available for expenditure only when appropriated by Congress.

6.6 MINERALS MANAGEMENT SERVICE AND THE HISTORIC PRESERVATION FUND

Minerals Management Service (C St between 18th and 19th Sts. NW, Washington, DC 20240) collects revenues generated from mineral leases offshore and on federal and Indian lands throughout U.S. The extensive royalties collected annually by this service are distributed to the Historic Preservation Fund, among others. Contact: Associate Director of Royalty Managements

6.7 FEDERAL GRANTS-IN-AID

In the 1950's and 1960's, federal grants-in-aid programs were instated for state and local preservation work. Under the National Historic Preservation Act of 1966, monies in the form of federal matching grants-in-aid were available to states for

survey and planning work regarding historic sites/structures. Similar programs/ projects continued to the Reagan Administration in which repeated attempts to eliminate such funding has occurred.

6.8 INSTITUTE OF MUSEUM SERVICES

"The Institute of Museum Services (IMS) is an independent grant-making agency established by Congress in 1976 to assist museums in maintaining, increasing, and improving their services to the public."13 IMS Conservation Program grants are most directly applicable to efforts in historic preservation. These grants are one-year competitive awards providing funding for various conservation efforts.

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13 U.S. Government Manual 1985-1986. (Washington: Government Printing Office, [1985]) 589.

7 PUBLICATIONS ABOUT HISTORIC PRESERVATION - GOVERNMENTAL AND NONGOVERNMENTAL

The following materials are offered as potential aids in the study of historic preservation. This list by no means includes every publication which would be helpful to historic preservation work but is offered as a starting place for those unfamiliar with current sources of preservation information.

7.1 MONOGRAPHS AND BOOKS

* Andrews, Gregory E. Tax Incentives for Historic Preservation. Washington: Preservation Press, 1981.

Cyclical Maintenance for Historic Buildings. Interagency Historic Architectural Services Program. Washington, 1976.

* Design for Rehabilitation: Guidelines for Historic Properties. Washington: Preservation Press, nd.

* Directory of American Preservation Commissions. Washington: Preservation Press, 1981.

* Economic Benefits of Preserving Old Buildings. Washington: Preservation Press, 1976.

* A Guide to Delineating Edges of Historic Districts. Washington: Preservation Press, 1976.

How to Complete National Register Forms. Washington: U.S. Dept. Interior, 1977.

* Information: A Preservation Sourcebook. Washington: Preservation Press, 1979.

* Kettler, Ellen L. Historic Preservation Law. Washington: Preservation Press, 1976.

* Maddex, Diane, Ed. The Brown Book: A Directory of Preservation Information. National Trust for Historic Preservation. Washington: Preservation Press, 1983.

* Maddex, Diane. The Whole Preservation Catalog. Washington: Preservation Press, 1985.

* Morrison, Jacob H. Historic Preservation Law Washington: National Trust for Historic Preservation, 1974.

Morton, W. Brown, III and Gary L. Hume. The Secretary of the Interior's Standards for Historic Preservation Projects with Guidelines for Applying the Standards. Washington: U.S. Department of the Interior, 1979.

* Mulloy, Elizabeth D. History of the National Trust for Historic Preservation 1963-1973. Washington: Preservation Press, 1976.

* National Directory of State Agencies 1986. Bethesda, MD: National Standards Association, Inc., 1986.

* Office of Preservation Services of the National Trust for Historic Preservation. A Guide to State Historic Preservation Programs. Washington: Preservation Press, 1976.

* Preservation and Conservation: Principles and Practices. Washington: Preservation Press, 1982.

* Respectful Rehabilitation: Answers to Your Questions About Old Buildings. Washington: Preservation Press, nd.

* Rodding, Richard J. Preparing a Historic Preservation Ordinance. Washington: American Planning Association, 1983.

* Travers, Jean. Guide to Resources Used in Historic Preservation Research. Washington: Preservation Press, 1978.

* Tubesing, Richard. Architectural Preservation and Urban Renovation: An Annotated Bibliography of U.S. Congressional Documents. New York: Garland Publishing, Inc., 1982.

7.2 PERIODICALS, JOURNALS AND BULLETINS

* American Group of the International Institute for Conservation of Historic and Artistic Works Journal
1511 K Street NW Suite 725
Washington, DC 20005
202/638-1444

Editor: Marjorie Cohn

Conservation of historic and artistic works - practical and technical papers. Semi-annual.

* Assoc. for Preservation Technology Bulletin
Association for Preservation Technology
2487 Station D
Ottawa, Ontario K1P 5W6, Canada
613/238-1972

Paula Stoner Reed, American Editor
301/791-7880

Educational -- encompassing past and current technology for the conservation of historic structures and artifacts. Includes book reviews. Quarterly.

Cultural Resource Management Bulletin (I29.86/2:v.nos. & nos)
National Park Service
U.S. Department of the Interior
18th and C Streets, NW
Washington, DC 20240
202/343-8157

A quarterly publication of planning and design activities in the National Park Service.

* Historic Houses
Historic House Association of America
1600 H. Street NW
Washington, DC 20006
202/673-4025

Interested in the preservation of historic buildings in private ownership. Bimonthly.

* Historic Preservation
National Trust for Historic Preservation
1785 Mass. Ave NW
Washington, DC 20036
202/673-4000

Editor: Thom Colin

Features in preservation of sites, buildings, objects, districts and structures significant in American history. Book reviews. Bimonthly.

* The Old-House Journal
69-A Seventh Ave
Brooklyn, NY 11217
212/636-4514

Editor: Patricia Poore

Monthly newsletter that reports practical ideas and how-to procedures for the restoration and maintenance of pre 1929 houses. Annual catalogs list sources for hard to locate old-house items.

* Preservation Law Reporter
National Trust for Historic Preservation
1785 Mass AVe NW
Washington, DC 20036
202/673-4033

Editor: Ed Harrison Wetherill

Bimonthly

* Preservation News
National Trust for Historic Preservation
1785 Mass Ave NW
Washington, DC 20036
202/673-4073

Editor: Carleton Knight III

Legislation, zoning and law affecting historic preservation. Economics of reusing old buildings. Monthly.

* Urban Conservation Report
Preservation Reports, Inc.
1016 16th St. NW Suite 275
Washington, DC 20036
202/466-4234

Editor: Constance Beaumont

Current information on events affecting preservation and rehabilitation of older buildings and urban neighborhoods. Book reviews. Semi-monthly.

7.3 JOURNAL ARTICLES

* Benson, Robert. "Historic Preservation" [changing emphasis and support of preservation in American cities] Editorial Research Reports. Feb. 10 (1984): 107-124.

* Birch, Eugenie Ladner and Douglass Roby. "The Planner and the Preservationist : an Uneasy Alliance." Journal of the American Planning Association. 50(1984): 194-207.

* Blackburn, Luci. "What Developers Think of Historic Preservation." Urban Land. 42(1983): 8 - 11.

* "The Impact of the Economic Recovery Tax Act and Tax Equity and Fiscal Responsibility Act on Tax Credits for Historic Preservation." Law and Contemporary Problems. 48 (1985): 259-80.

Jabbour, Alan. Director's Column. Folklife Center News. Vol. 8, Nov., #4, n.p.

* Walter, J. Jackson. "Historic Rehabilitation Tax Incentives: Stimulating Economic Development while preserving America's Heritage" Government Finance Review. 2(1986): 5 - 12.

    Tax Incentives Combined With Growth Management Legislation Have Helped Preservation groups, developers and government officers take historic preservation from sidelines and place it squarely in the mainstream of public concern.

* Woodbury, Peter W. "Retrofitting Historic Structures." Trends. Vol. 19, #3 38-40.

8 PUBLIC INTEREST IN HISTORIC PRESERVATION

8.1 MONITORING AGENCIES

A monitoring agency is an organization which disseminates information to the public with the objective of influencing public officials, especially members of legislative bodies, with regard to legislation and other policy decisions.

* Preservation Coordinating Committee
1785 Mass Ave. NW
Washington, DC 20036
202/673-4254

The Preservation Coordinating Committee coordinates preservation lobbying activity at the national level and develops strategies and directs the actions of individual monitoring organizations. The Committee advocates preservation policy positions in Washington and the states, monitors administrative and legislative action, and disseminates information. It prepares and delivers testimony before Congress, maintains contact with Capitol Hill and informs the members of each organization by means of letters and newsletters.14

Other Monitoring Bodies

* National Trust for Historic Preservation (f.1949)
1785 Mass Ave NW
Washington, DC 20036
202/673-4254

Ruth Goltzer, Congressional Liaison

National Trust for Historic Preservation serves as a national clearinghouse for historic preservation information. See section 3.4).

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14 Maddex, Diane. Ed. The Brown Book: A Directory of Preservation Information (Washington: Preservation Press, 1983) 70.

* Preservation Action (f.1974)
1700 Connecticut Ave, NW Sui. 400
Washington, DC 20009
202/659-0915

Nellie Longsworth, President

Newsletter: Alert (Quarterly). Members are preservation organizations and individuals involved in historic preservation rehabilitation. Primary objective is to lobby for funding and support for historic preservation in the U.S. Conducts annual meetings.

* National Conference of State Historic Preservation Officers
444 N. Capitol Street NW Suite 332 (f. 1967)
Washington, DC 20001
202/624-5465

Peter King, Exec. Director

With officers and deputy officers appointed by respective state governors as members of the organization, researches, develops, and promotes historic preservation programs and legislative proposals. This organization elicits public support for historic preservation. Conducts an annual meeting.

* National Coordinating Committee for the Promotion of History
400 A. Street SE (f. 1977)
Washington, DC 20003
202/544-2422

Page Miller, Director

Comprised of archival and historic organizations, the committee monitors employment opportunities, testifies before congressional committees and serves as an information clearinghouse.

8.2 NATIONAL PRESERVATION ORGANIZATIONS AND CLEARINGHOUSES

* American Association for State and Local History (f.1940)
172 Second Ave. N. Suite 102
Nashville, TN 37201
615/255-2971

Larry E. Tise, Director

Educators, historians, writers, other interested individuals, and historical societies (of U.S. and Canada) constitute the membership. Offers consulting and placement services and publishes History News (bimonthly). Annual meeting: usually September.

* American Institute for Conservation of Historic and Artistic Works (f. 1972)
3545 Williamsburg Lane NW
Washington, DC 20008
202/364-1036

A. Gilson Brown, Exec. Director

The purpose of this organization is to advance knowledge and improve methods of conservation needed to protect, preserve and maintain the condition and integrity of objects or structures which are historically significant. Publishes a bimonthly newsletter and a semiannual journal. Annual meeting: May or June.

* American Institute of Architects (f.1857)
1735 New York Ave NW
Washington, DC 20006
202/626-7300

Louis L. Marines, Jr., Chief Executive Officer

Resource for locating an architect, contractor and craftsman who understands and appreciates old buildings.

National Register of Historic Places
Interagency Resources Division
National Park Service
U.S. Dept. of the Interior
Washington, DC 20240
202/343-9536

8.3 SOURCES FOR EXPERT ADVICE REGARDING HISTORIC PRESERVATION

All of the organizations listed in sections 8.1 and 8.2 may be considered sources for advice. Researchers, Educators, and Professionals in colleges and universities which offer programs in historic preservation often serve as sources of expertise and consultation. For a listing of such institutions, see Guide to Undergraduate and Graduate Education in Historic Preservation, Antoinette J. Lee, Ed. Washington: National Trust for Historic Preservation, 1981.

Further sources for expertise are Congressional committee members serving on committees which are concerned with historic preservation issues and witnesses appearing before Congressional panels and at Congressional hearings.

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APPENDIX

A LEGISLATIVE HISTORY OF THE

NATIONAL HISTORIC PRESERVATION ACT OF 1966

An act to establish a program for the preservation of additional historic properties throughout the nation, and for other purposes, approved Oct. 15, 1966 (PL 89-665 80 STAT. 915; 16 U.S.C. 470).

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I. Introduction and Background

The first United States preservation law, the Antiquities Act of 1906, was enacted to safeguard the archeological resources of the southwest native Americans. This initial step toward greater national involvement in preservation was followed a decade later by the creation of the National Park Service within the Department of the Interior. The National Park Service was charged with the duty of protecting natural historic resources in the United States. This role was expanded in the 1935 Historic Sites Act which, among other things, authorized the Secretary of the Interior, through the National Park Service, to designate National Historic Landmarks (the start of the National Register of Historic Places); to survey nationally significant historic sites, buildings and objects; and to acquire historic properties. The National Trust for Historic Preservation was chartered in 1949 by the U.S. government and exists as a major force in advocating national awareness and preservation of historic resources.

On February 23, 1966, President Lyndon B. Johnson delivered a message to Congress regarding the conservation of U.S. natural and historic resources which included the following statement:

> Historic preservation is the goal of citizen groups in every part of the country. To help preserve buildings and sites of historic significance, I will recommend a program of matching grants to States and to the National Trust for Historic Preservation.1
>
> Lyndon B. Johnson
> The White House, February 23, 1966

An administration draft bill was submitted to Congress on March 2, 1966 which was introduced in the Senate by Mr. Jackson as S.3035 and in the House by Mr. Aspinall as H.R.13491.

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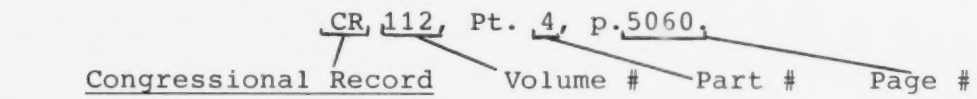
1 "Natural Beauty Message to Congress," (February 28, 1966), Weekly Compilation of Presidential Documents 2:8 (28 Feb. 1966) pp. 250.

II. Summary of Congressional Action Leading to PL 89-665

References to the sources of legislative material are noted within the text of Sections II, III, and IV: the Congressional Record (CR) citations are within the text while longer citations, such as those for hearings and reports, are listed in in full in Appendix 1, a - c.

Congressional Record citation form:



Senate Action

March 7, 1966 an Administration draft bill was introduced by Mr. Jackson as S.3035, a bill to establish a program for the preservation of additional historic properties throughout the Nation, and for other purposes [CR 112, Pt. 4, p.5079].

The Senate Committee on Interior and Insular Affairs held hearings June 8, 1966 on S.3035 at which time testimony was received from the following private/public interest groups:

The National Trust for Historic Preservation appeared at hearings before the Senate Committee on Interior and Insular Affairs, June 8, 1966 [see App. 1, a]. Trust Chairman Gordon Gray and Executive Director Robert R. Garvey, Jr. represented the National Trust for Historic Preservation in support for historic preservation legislation. The Trust makes known its preference for the language regarding grants in S.3098 over S.3035. Statement from Gordon Gray appealing for historic preservation legislation.

The National Recreation and Park Association appeared at the Senate hearing before the Committee on Interior and Insular Affairs. Ken Smith, Washington Representative of National Recreation and Park Association appeared on behalf of Joseph Prendergast, Exec. Vice President of National Recreation and Park Association. The American Institute of Architects sent a letter of support for the historic preservation legislation.

The Committee, on July 7, 1966 reported S.3035 to the Senate with amendments [see Appen. 1, b]. Two of the amendments -- a declaration of purposes and a provision for delaying for sixty days federally aided projects which might be in conflict with the bill's purposes -- had originally been

incorporated in Senate Bill 3098 (introduced Mar. 17, 1966 by Edmund S. Muskie). Another amendment establishing the Advisory Council on Historic Preservation had been a provision of a second Muskie bill (S.3097). The Committee also set a limit of 50% of the total cost on state survey grants and limited appropriations authorized for grants after fiscal 1967 to $10 million a year for three years.

The Senate July 11, 1966 passed S.3035 by voice vote, without opposition [CR 112, Pt. 11, p. 15165].

House Action

Introduced into the House March 10, 1966 as H.R. 13491 [CR 112, Pt. 5, p.5574]. July 15, 1966 the House Committee on Interior and Insular Affairs consulted testimony from the June 8, 1966 Senate hearing on S.3035.

The bill was reported with amendments by the Committee August 30, 1966 [see Appen. 1, c]. One of the amendments made the bill inapplicable to the White House, the Supreme Court building, and the Capitol. The Committee said these federal buildings should not be covered by the bill.

The House, on September 19, 1966, rejected the bill by a 41-31 standing vote -- seven votes short of the two-thirds majority needed for passage under suspension of the rules [CR 112, Pt. 17, p. 22954]. Members who opposed the measure argued that the Federal Government should not enter a field traditionally left to states, localities, and private groups, and that funds for historic preservation should not be spent in fiscal 1967 in light of more pressing demands on the budget.

After a rule was granted September 28, 1966 [CR 112, Pt. 19, p. 25938], the House passed the bill by voice vote on October 10, 1966 [CR 112, Pt. 19, p. 25940].

Final Congressional Action

On October 11, 1966 the Senate, by voice vote, concurred in the House amendments [CR 112, Pt. 19, p. 26026; CR 112, Pt. 20, p. 26505] and sent the bill to the President [CR 112, Pt. 20, p. 26727].

III. Executive Action

President Lyndon B. Johnson signed S.3035 into law October 15, 1966 as The National Historic Preservation Act of 1966 (PL 89-665, 80 STAT. 915; 16 U.S.C. 470) [CR 112, Pt. 20 p. 27308].

IV. Chronology of Congressional Action

The purpose of this section is to provide a calendar of events to enhance the understanding of the legislation leading up to PL 89-665.

	SENATE ACTION	HOUSE ACTION
Mar 7	Introduction of S.3035 [CR 112, Pt. 4, p.5079]	
Mar 10		Introduction of H.R.13491 [CR 112, Pt. 5, p.5574]
Mar 17	Intro. of S.3097 [CR 112, Pt. 5, p.6088] and S.3098 [CR 112, Pt. 5, p.6088], later to be incorporated into. S.3035	
June 8	Sen. Comm. on Interior and Insular Affairs held Hearings on S.3035 [see Appen. 1, a]	
July 7	S.3035 reported to Senate with amendments [see Appen. 1, b]	
July 11	S.3035 passed Sen with voice vote [CR 112, Pt. 11, p. 15165]	
July 15		House Comm. on Interior and Insular Affairs consulted testimony of Senate hearings on S.3035
Aug 30		Bill Reported to the House [see Appen. 1, c]

Sept. 19	House rejects bill [CR 112, Pt. 17, p.22954]
Sept. 28	Rule granted making provisions of bill acceptable to house [CR 112, Pt. 19, p.25938]
Oct. 10	House passed bill by voice vote [CR 112, Pt. 19, p.25940]
Oct. 11	Senate concurred in the House amendments to S.3035 [CR 112, Pt. 19, p.26026]. Examined and signed bill [CR 112, Pt. 20, p.26505]. Sent bill to President [CR 112, Pt. 20, p.26727].
Oct. 15	PRESIDENT JOHNSON SIGNED S.3035 INTO LAW (PL 89-665, 80 STAT. 915; 16 U.S.C. 470) [CR 112, Pt. 20, p.27308]

V. Provisions of PL 89-665

The National Historic Preservation Act of 1966 (PL 89-665) authorized the Secretary of the Interior to expand and maintain a national register of sites and structures of significance to American history, architecture, archeology, or culture. Authorized the Secretary to make matching grants to states to help them identify such sites and make comprehensive statewide plans for their preservation.

Authorized additional matching grants (1) to states to allow them to acquire and/or develop properties on the basis of comprehensive plans approved by the Secretary and (2) to the National Trust for Historic Preservation to enhance its capacity to acquire and administer nationally significant properties.

Specified that the grants in each case were not to exceed 50 percent of the cost of each project. Stipulated that no grants could be made for projects receiving financial support under another federal program.

Established a 17-member National Advisory Council on Historic Preservation to advise the President and Congress on the status of programs assisted under the Act and to coordinate preservation activities on federal, state and local levels.

Required any federal agency planning a project to report to the Council on the effect the project might have on sites listed in the national register and to give the Advisory Council "a reasonable opportunity" to comment.

Exempted from the provisions of the Act the buildings and grounds association with the White House, the Capital, and the Supreme Court.

Authorized appropriations of $2 million in fiscal 1967 and $10 million a year in fiscal 1968-70 to implement the Act.2

VI. Amendments to PL 89-665

PL 91-243 "To amend the Act of October 15, 1966 (80 STAT. 915) and establish a program for the preservation of additional historic properties throughout the Nation, and for other purposes." ("Historic Properties - Preservation," (PL91-243 May 9, 1970), U.S. Statutes At Large 84, p. 204).

PL 93-54 "To amend the Act of October 15, 1966 (80 STAT. 915) and establish a program for the preservation of additional historic properties throughout the Nation, and for other purposes." ("Historic Properties - Preservation," (PL93-54 July 1, 1973), U.S. Statutes At Large 87, p. 139.

PL 96-515 "An act to amend the National Historic Preservation Act of 1966 and for other purposes." ("National Historic Preservation Act Amendments of 1908" (PL 96-515, Dec. 12, 1980), United States Statues at Large 94, p. 2987).

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2 Congressional Quaterly. 89th Congress, 2nd session 1966. Washington: Congressional Quarterly Service, 1967. 22:694.

APPENDIX 1

Documents pertaining to the Chronology of Congressional Action (Part II, IV).

a) U.S. Senate. Committee on Interior and Insular Affairs. Preservation of Historic Properties, Hearings, 8 June 1966 Washington?: 1966?. (Y4.In8/13:H62).

b) U.S. Senate. Committee on Interior and Insular Affairs. Preservation of Historic Properties. Washington?: 1966?. (S.Rpt. 89-1363).

c) U.S. House. Committee on Interior and Insular Affairs. Establishing A Program for the Preservation of Additional Historic Properties Throughout the Nation. Washington?: 1966? (H.Rpt.89-1916).